UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED
DEC 04 2015
CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY ______ DEPUTY

UNITED STATES OF AMERICA ex rel. Nevarez Law Firm, P.C., NEVAREZ LAW FIRM, P.C.,	§	
Plaintiff,	§	
v.	§	**Civ. No. EP:15-cv-0297-DB *SEALED***
DONA ANA TITLE COMPANY, et al.,	§	**FILED UNDER SEAL AND IN CAMERA**
Defendants.	§	

UNITED STATES' FIRST APPLICATION
FOR EXTENSION OF TIME TO INTERVENE

The United States applies pursuant to 31 U.S.C. § 3730(b)(3) for a three-month extension of the period during which the government may investigate and elect to intervene in this qui tam action. This is the government's first request for an extension. The request is timely because the current statutory deadline for the government to intervene expires on December 7, 2015, at the earliest. Relator consents to a three-month extension of the intervention period.

The United States submits that good cause exists for a three-month extension of the deadline to intervene – from December 7, 2015 to March 7, 2016 – and requests that this case remain sealed while the government conducts its investigation.

The United States has filed a Memorandum and Proposed Order in support of this application. To preserve the integrity of the investigation, the United States has filed the Memorandum ex parte under 31 U.S.C. § 3730(b)(3), and has not served a copy on the relator.

Date: December 3, 2015

Respectfully submitted,

RICHARD L. DURBIN, JR.
United States Attorney

By: ______________________

JOHN J. LoCURTO
Assistant United States Attorney
Texas Bar No. 24073750
601 N.W. Loop 410, Suite 600
San Antonio, Texas 78216
Tel: (210) 384-7362
Fax: (210) 384-7322
Email: john.locurto@usdoj.gov

Attorneys for the United States of America

CERTIFICATE OF SERVICE

I certify that, on December 3, 2015, I caused the United States' First Application for an Extension of Time to Intervene and Proposed Order to be served on relator's counsel, Michael R. Nevarez, via electronic mail.

____
JOHN J. LoCURTO
Assistant United States Attorney

RECEIVED
DEC 04 2015
CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA ex rel. Nevarez Law Firm, P.C., NEVAREZ LAW FIRM, P.C.,	§	
Plaintiff,	§	
v.	§	**Civ. No. EP:15-cv-0297-DB *SEALED***
DONA ANA TITLE COMPANY, et al.,	§	**SEALED ORDER**
Defendants.	§	

ORDER GRANTING EXTENSION OF TIME TO INTERVENE

The Court, having reviewed the United States' First Application for Extension of Time to Intervene, and having noted that relator consents to the extension, finds good cause to extend the intervention period under 31 U.S.C. § 3730(b)(3), and for continuing the seal while the United States investigates and determines whether to intervene in this case. Accordingly, it is hereby:

ORDERED that the United States' First Application for Extension of Time to Intervene is GRANTED. The United States shall have until March 7, 2016, to file a notice informing the Court as to how it intends to proceed in this action.

ORDERED that the Complaint and all other filings in this Action, including this Order, shall remain UNDER SEAL until further order of this Court.

SIGNED on December ___, 2015.

HON. DAVID BRIONES
UNITED STATES DISTRICT JUDGE